IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

WP(C).No. 6631 of 2006(M)

PETITIONER:

DR.KURIEN E.K. ASSISTANT PROFESSOR,
KRISHI VIGYAN KENDRA, MANNUTHY.

BY ADV. SRI.P.RAVINDRAN.

RESPONDENTS:
----

1. **KERALA AGRICULTURL UNIVERSITY,**
   REP. BY ITS REGISTRAR, VELLANIKKARA,
   THRISSUR DISTRICT.

2. **THE REGISTRAR,**
   KERALA AGRICULTURAL UNIVERSITY, VELLANIKKARA,
   THRISSUR DISTRICT.

3. **THE STATE OF KERALA, REPRESENTED BY**
   ITS SECRETARY, AGRICULTURAL DEPARTMENT,
   GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

BY ADV. SRI.RENJITH THAMPAN, SC, AGRL.UNTY.,
GOVT. PLEADER SMT. K.R. DEEPA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/03/2007,ALONG WITH W.P.(C). NO. 11518/2005 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.6631/2006:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE PROCEEDINGS OF THE R.1. DTD. 17/ 03/05.

EXT.P.2: COPY OF THE OBJECTION SUBMITED BY THE PETITIONER TO THE R.2. DTD. 01/06/05.

EXT.P.3: COPY OF THE ORDER OF THE DIVISION BENCH OF THIS HONOURABLE COURT IN W.A. NO. 310/05 DT. 11/02/05.

EXT.P.4: COPY OF THE PROCEEDINGS OF THE R.1. DTD. 21/01/2006.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

W.P(C)Nos.11518, 15614, 17837, 17923, 18338, 19173, 19413, 19496, 19914, 20010, 20101, 20283, 20657, 20961, 21124, 21125, 21333, 21685, 22008, 22682, 26378, 30442, 32936, 35456, 35521 of 2005 and W.P(C)No.6631/2006

Dated this the 14th day of March, 2007

JUDGMENT

Heard the learned counsel appearing for the petitioners including the senior counsel Sri.Sugunapalan and Sri.Ranjit Thampan, learned Standing Counsel appearing for the Agricultural University and the learned Government Pleader.

2. The main issue raised in these writ petitions pertains to the service conditions of the teachers working in the Kerala Agricultural University, Mannuthy. It is seen that during the pendency of the writ petitions, some of the petitioners were heard on their grievances and the Government passed order dated 19.8.2006. Subsequently, it is seen that the Government itself has kept in abeyance the said order, as can be seen from

the communication dated 19.9.2006. Some of the learned counsel appearing on behalf of the unions submit that the Government is actively reconsidering the whole issue and is proposing to pass a revised order dealing with individual as well as common issues raised in these writ petitions. On the developments referred to above, there is no affidavit by the Government. Though the University has filed statements in some cases and though the learned counsel appearing for the University also raised several contentions, it is fairly clear that ultimately, it is for the Government to take a decision. Counsel on all sides agree that the matter can be relegated to the Government and at this stage, this Court need not go into the various contentions. Therefore, it is not necessary for this Court to go into the individual grievances of the teachers since in any case, the Government is seized of the matter.

Accordingly, the writ petitions are disposed of directing the Government to take a fresh decision in the matter, with notice to the petitioners and the University within four months from the date of production of a copy of the judgment. The interim orders passed by this Court will continue till a decision is taken by the

Government. It is made clear that I have not considered the legal contentions taken by the parties and they are left open. It is also made clear that it will be open to the petitioners to file supplementary representations before the Government, if so advised, within a period of one month from today. Any action taken by the University in the meanwhile will be subject to the decision taken by the Government as above.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

W.P(C)Nos.11518, 15614, 17837, 17923, 18338, 19173, 19413, 19496, 19914, 20010, 20101, 20283, 20657, 0961, 21124, 21125, 21333, 21685, 22008, 22682, 26378, 30442, 32936, 35456, 35521 of 2005 and W.P(C) No.6631/2006

JUDGMENT

14th March, 2007